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September 27, 2024

VIA ECF

The Honorable Katharine H. Parker
United States District Court
500 Pearl Street, Room 750
New York, NY 10007

Re: Delgado v. Donald J. Trump for President, Inc., et. al. No. 19-cv-11764 (AT)(KHP)

Dear Judge Parker:

We write respectfully on behalf of Defendants Donald J. Trump for President, Inc. (the “Campaign”), Sean Spicer, and Reince Priebus (together “Defendants”) in response to Plaintiff’s letter responding to Defendants’ Motion to Seal (“Plaintiff’s Letter”).¹ See ECF No. 447. Curiously, Plaintiff objects to Defendants’ decision to redact portions of Exhibits 44, 45, and 46 (the “Redacted Exhibits”), claiming that they do not contain confidential information. However, it was Plaintiff that marked these documents as “Confidential” pursuant to the Protective Order entered in this case (ECF No. 108); indeed, Plaintiff’s Bates stamp and “Confidential” designation appears in the footer of all three documents. Of course, pursuant to the Protective Order, Plaintiff was only permitted to designate a document “Confidential” if she “determines, in good faith, that such designation is necessary to protect [her] interests in information that is proprietary, a trade secret or otherwise sensitive non-public information.” ECF No. 108 at p. 1. Plaintiff’s Letter casts doubt on the propriety of her initial designation; however, if Plaintiff now wishes to withdraw the “Confidential” designation, and have the entirety of the Redacted Exhibits filed publicly, Defendants have no objection and withdraw the Motion to Seal as to Exhibits 44, 45, and 46.

Respectfully,

/s/ Jeffrey S. Gavenman
Jeffrey S. Gavenman

¹ Although Plaintiff’s Letter was addressed to Judge Torres, the May 11, 2022 Amended Order of Reference signed by Judge Torres referred this case for all “General Pretrial” matters to Your Honor, which includes “non-dispositive pretrial motions.” See ECF No. 99. Accordingly, Defendants submit this letter response to Plaintiff’s Letter pursuant to Your Honor’s Individual Rules of Practice III(b).